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Attorneys for Defendant,  
COSTCO WHOLESALE CORPORATION

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION**

TERESA ALVARADO CURIEL, an  
individual,

CASE NO. 2:22-CV-02224-DAD-DMC

Plaintiff,

**STIPULATED REQUEST TO MODIFY  
SCHEDULE; ORDER**

vs.

COSTCO WHOLESALE MEMBERSHIP,  
INC., a California Corporation; COSTCO  
WHOLESALE CORPORATION a Washington  
Corporation; CLIMATE PROS, LLC, a  
Delaware Limited Liability Company; and  
DOES 1 to 50, inclusive,

Defendants.

**AND RELATED CROSS ACTION** /

1           **IT IS HEREBY STIPULATED** by and between the parties to this action, through their  
2 respective counsel, as follows:

3           1.       Under the current Scheduling Order, the last date to complete private mediation is  
4 July 26, 2024. The parties previously agreed to engage in private mediation of this matter with  
5 Hon. Thierry Patrick Colaw (Ret.) and scheduled the mediation session for June 20, 2024.  
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7           2.       Due to circumstances beyond the parties' control, and at the request of Defendant  
8 Costco Wholesale, the parties agreed to reschedule the mediation to Judge Cota's next available  
9 date, August 29, 2024.

10          3.       Based on the foregoing, the parties respectfully request the Court modify the date  
11 set forth in the scheduling order for completing private mediation to **August 30, 2024**, that the  
12 date to disclose experts and produce expert reports be reset to **September 13, 2024**, two weeks  
13 after the mediation deadline, and that rebuttal reports be produced by **September 27, 2024**. All  
14 expert discovery must be completed by **October 31, 2024**.  
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16          4.       It is further requested that all motions, except motions for continuances, temporary  
17 restraining orders, or other emergency applications, shall be noticed to be heard on or before  
18 **November 5, 2024**.  
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20          5.       The parties stipulate and agree that the requested modification of the scheduling  
21 order will not result in prejudice to any party because it will not require a continuance of the final  
22 pretrial conference on **November 12, 2024**, nor the jury trial date set for **January 27, 2025**.  
23

24 Dated: July 10, 2024

MAIRE & DEEDON

25                               /s/  
26 PATRICK L. DEEDON  
27 JOHN R. POWELL  
28 Attorneys for Defendant,  
COSTCO WHOLESALE CORPORATION

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3 Dated: June 12, 2024

RAFII & ASSOCIATES, P.C.

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7 PETER WILLIAMSON  
Attorneys for Plaintiff,  
8 TERESA ALVARADO CURIEL

9 Dated: June 12, 2024

MACDONALD & CODY, LLP

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12 DEBRA BRAASCH  
Attorneys for Defendant  
13 CLIMATE PROS, LLC  
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**ORDER**

**IT IS SO ORDERED** and the pretrial scheduling order is modified as follows:

1. Any private mediation of this matter shall be completed on or before **August 30, 2024**.
2. The parties shall exchange initial expert disclosure and produce reports pursuant to Federal Rule of Civil Procedure 26(a)(2) no later than **September 13, 2024**, and rebuttal reports shall be disclosed on or before **September 27, 2024**. All expert discovery must be completed by **October 31, 2024**.
3. All motions, except for continuances, temporary restraining orders, or other emergency applications, shall be noticed to be heard on or before **November 5, 2024**.

Dated: July 10, 2024



DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE